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Date: January 17, 2007

To: Examiner Rita Desai --

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Art Unit 1625

Client Matter#: 20473-4802

From: Dana Gordon, PhD

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**Message**

Applicants: Hoermann, M.Z. *et al.*

Examiner: Desai, R.J.

Application Serial No.: 10/722,114

Art Unit: 1625

Filed: November 25, 2003

Atty. Docket No.: SPV-048.02

Title: 4,4-Disubstituted Piperidines, and Methods of Use Thereof

Dear Examiner Desai:

Please enter the attached Terminal Disclaimer in the above-identified application. The Commissioner is hereby authorized to charge any required fees to our Deposit Account, No. 06-1448; Reference SPV-048.02. Thank you.

Sincerely,

Dana Gordon (Reg. No. 44,719)

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SPV-048.02

In re Application of: Hoemann, M.Z.

Application No.: 10/722,114

Filed: November 25, 2003

For: 4,4-Disubstituted Piperidines, and Methods of Use Thereof

The owner, Sepracor Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,656,953. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

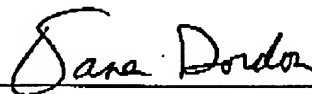
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